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Mack H. Shumate, Jr.
Senior General Attorney, Law Department

December 15, 2008

VIA E-FILING

The Honorable Anne K. Quinlan
Acting Secretary
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001

Re: Abandonment Exemption and Discontinuance of Operations over the Weber Industrial Lead from M.P. 5.8 near Wilson Avenue to M.P. 9.5 near Touhy Avenue, a distance of 3.7 miles in Cook County, Illinois; STB Docket No. AB-33 (Sub-No. 263X)

Dear Ms. Quinlan:

Union Pacific Railroad Company ("Union Pacific") has received a request from the Village of Lincolnwood, an Illinois municipal corporation, (the "Village"), seeking the issuance of a Certificate or Notice of Interim Trail Use pursuant to 16 U.S.C. § 1247(d) and 49 C.F.R. § 1152.29 for the portion of the Union Pacific's Weber Industrial Lead located in the Village of Lincolnwood between approximately Milepost 8.4 at Devon Avenue to the border with the Village of Skokie, Illinois, at approximately Milepost 9.4 near Touhy Avenue, a distance of approximately 1.0 mile in Cook County, Illinois.

The Union Pacific is willing to negotiate with the Village concerning the acquisition of the subject property for trail use and supports the Village's request to negotiate for a period of 180 days. A copy of the Village's initial request dated November 24, 2008 and the corrected request showing the corrected map dated November 25, 2008 are attached hereto as Exhibit "A" and hereby made a part hereof.

Sincerely,

A handwritten signature in black ink, appearing to read "Mack H. Shumate, Jr.", with a stylized flourish at the end.

Attachment

cc: Village of Lincolnwood

O:\ABANDONMENTS\33-263X\STB-003.doc

Holland+Knight

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131 South Dearborn Street, 30th Floor
Chicago, IL 60603-5517
www.hklaw.com

November 24, 2008

Steven M. Elrod
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VIA UPS

The Honorable Anne K. Quinlan
Acting Secretary
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001

Re: Union Pacific Railroad Company
Abandonment of Weber Industrial Lead, Lincolnwood, Illinois
STB Docket No. AB-33 (Sub-No. 263X)
Petition for Public Use Condition and Interim Trail Use

Dear Secretary Quinlan:

The Village of Lincolnwood, Illinois, a political subdivision (the "*Village*") hereby files this Petition for a Public Use Condition as well as an Interim Trail Use Condition, rather than an outright abandonment authorization for the Weber Industrial Lead between M.P. 5.8 near Wilson Avenue in Chicago, Illinois and M.P. 9.5 near Touhy Avenue in Skokie, Illinois. This Petition applies only to that portion of the Weber Industrial Lead located within the corporate boundaries of the Village of Lincolnwood, Illinois (which extend from Devon Avenue on the south to Touhy Avenue on the north).

A. Petition For Public Use Condition

The Village asks the STB to find that this property is suitable for other public use – specifically, a recreational trail use - and to place the following conditions on the abandonment:

1. An order prohibiting the carrier from disposing of the corridor, other than the tracks, ties and signal equipment, except for public use on reasonable terms. The justification for this condition that the corridor would make an excellent recreational trail, and conversion of the property to trail use is in accordance with local plans. Further, use of this corridor as a recreational trail within the Village would allow for a continuous unbroken trail connecting the Village and the City of Chicago (immediately south of the Village). The time period sought is 180 days from the effective date of the abandonment authorization. The Village needs this much time to complete a trail plan and begin negotiations with the carrier.

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UNION PACIFIC RR CO.

Honorable Anne K. Quinlan
Acting Secretary
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November 24, 2008
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The Village also seeks to use a portion of the property for the expansion of its Public Works Facility, which is located immediately west of the right-of-way at the intersection of the right-of-way and Central Park Avenue. The Village desires to expand the Public Works Facility in a manner consistent with, and will not implement any expansion in a manner that would disrupt, the use of the entire corridor as a recreational trail. The trail plan to be developed during the requested 180-day delay will reflect both the proposed recreational trail and the expansion of the Public Works Facility.

2. An order barring removal or destruction of potential trail-related structures such as bridges, trestles, culverts and tunnels. The justification for this condition is that these structures have considerable value for recreational trail purposes. The time period requested is 180 days from the effective date of the abandonment authorization for the same reason as indicated above.

B. Petition For Interim Trail Use

The railroad right-of-way in this proceeding is suitable for railbanking. In addition to the public use conditions sought above, the Village also makes the following request:

STATEMENT OF WILLINGNESS TO ASSUME FINANCIAL RESPONSIBILITY

In order to establish interim trail use and railbanking under section 8(d) of the National Trails System Act, 16 U.S.C. §1247(d), and 49 CFR §1152.29, the Village is willing to assume full responsibility for management of, for any legal liability arising out of the transfer or use of the right-of-way (unless the user is immune from liability, in which case it need only indemnify the railroad against any potential liability), and for the payment of any and all taxes that may be levied or assessed against, the right-of-way owned by Union Pacific Railroad Company and operated by Union Pacific Railroad Company.

The property, known as the Weber Industrial Lead, extends from railroad milepost 5.8, near Wilson Avenue in Chicago, Illinois, to railroad milepost 9.5, near Touhy Avenue, in Skokie, Illinois, a distance of 3.7 miles in Cook County, Illinois. The right-of-way is part of a line of railroad proposed for abandonment in STB Docket No. AB-33 (Sub-No. 263X).

A map depicting the right-of-way is attached.

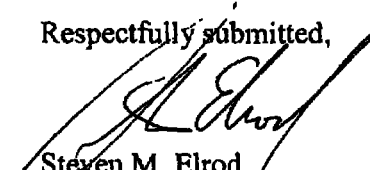
This Petition applies only to that portion of the Weber Industrial Lead located within the corporate boundaries of the Village of Lincolnwood, Illinois (which extend from Devon Avenue on the south to Touhy Avenue on the north).

Honorable Anne K. Quinlan
Acting Secretary
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The Village acknowledges that use of the right-of-way is subject to the user's continuing to meet its responsibilities described above and subject to possible future reconstruction and reactivation of the right-of-way for rail service.

By my signature below, I certify service upon Union Pacific Railroad Company, c/o Mack H. Shumate, 101 North Wacker Drive, Room 1920, Chicago, Illinois 60606, by U.S. Mail, postage pre-paid, first class, this 24th day of November, 2008.

Respectfully submitted,

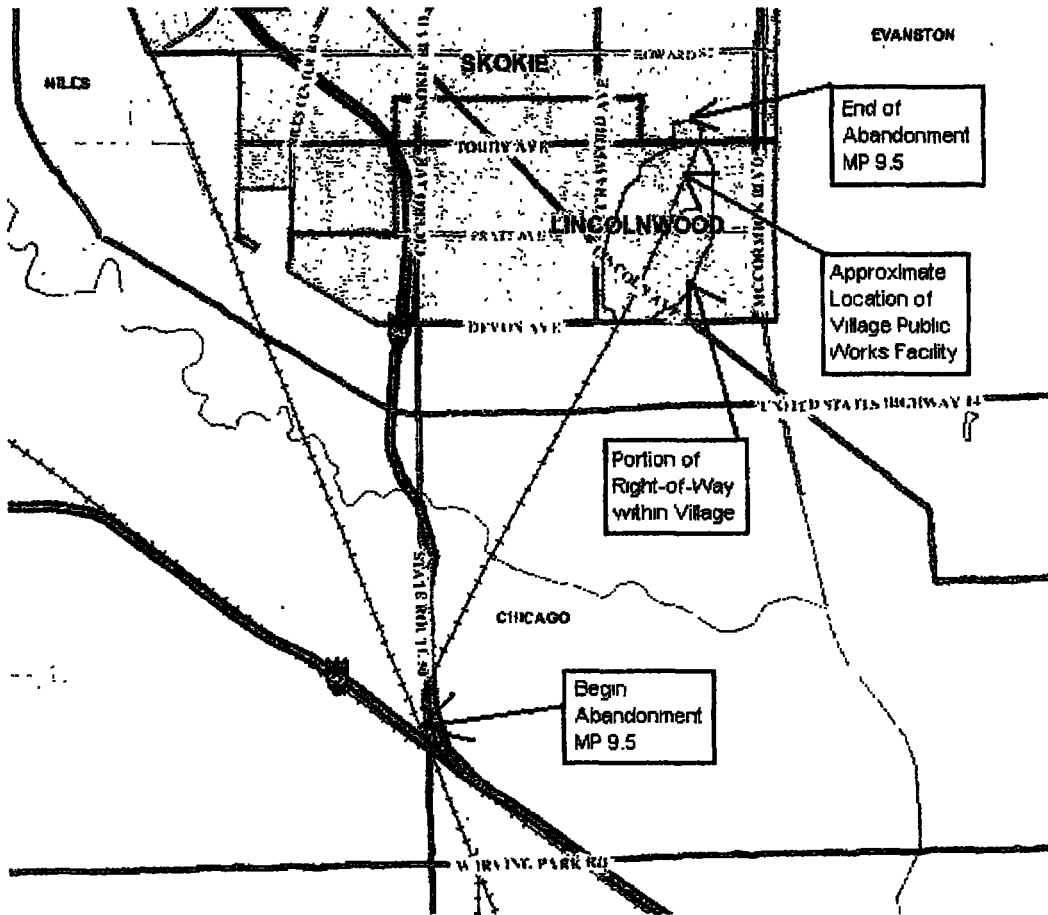


Steven M. Elrod
Village Attorney
Village of Lincolnwood

cc: Village President and Board of Trustees
Tim Wiberg, Village Administrator
Janice Hincapie, Director of Parks & Recreation

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Village of Lincolnwood
Petition for Public Use Condition and Interim Trail Use
Map of Right-of-Way



Holland+Knight

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November 25, 2008

Steven M. Elrod
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VIA UPS

The Honorable Anne K. Quinlan
Acting Secretary
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001

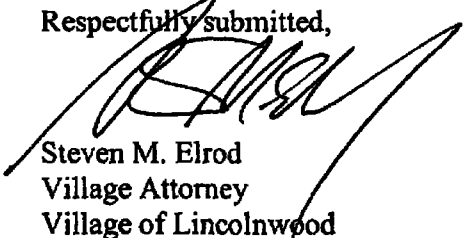
Re: Union Pacific Railroad Company
Abandonment of Weber Industrial Lead, Lincolnwood, Illinois
STB Docket No. AB-33 (Sub-No. 263X)
Petition for Public Use Condition and Interim Trail Use
Corrected Right-of-Way Map

Dear Secretary Quinlan:

On November 24, 2008, on behalf of the Village of Lincolnwood, Illinois, I filed a Petition for a Public Use Condition and Interim Trail Use Condition for STB Docket No. AB-33 (Sub-No. 263X). The map of the subject right-of-way that was attached to the Petition incorrectly identified the milepost marker at the southern terminus of the subject right-of-way. Accordingly, I hereby file the attached corrected map in support of the Village's Petition.

By my signature below, I certify service upon Union Pacific Railroad Company, c/o Mack H. Shumate, 101 North Wacker Drive, Room 1920, Chicago, Illinois 60606, by U.S. Mail, postage pre-paid, first class, this 25th day of November, 2008.

Respectfully submitted,



Steven M. Elrod
Village Attorney
Village of Lincolnwood

cc: Tim Wiberg, Village Administrator
Janice Hincapie, Director of Parks & Recreation

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Village of Lincolnwood
Petition for Public Use Condition and Interim Trail Use
Map of Right-of-Way

